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| 09/981,688 | 10/17/2001 | Erkki Tanskanen | 004770.00566 (NC28056) | 6692 |

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| EXAMINER | |
|---|---|
| BAUTISTA, XIOMARA L | |
| **ART UNIT** | **PAPER NUMBER** |
| 2179 | |

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 09/981,688 | TANSKANEN ET AL. | |
| | Examiner | Art Unit | |
| | X. L. Bautista | 2179 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *22 November 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-4,6 and 9-43* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,6 and 9-43* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments with respect to claims 1-4, 6 and 9-43 have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

**3. Claims 1, 4, 6, 9-12, 14-27, 30-40 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Odom et al* (US 6,058,379), *Kikinis* (US 2002/0049833), *Walker et al* (US 6,110,041) and *Molnick* (US 5,800,268).**

Claims 1, 14, 19, 30 and 43:

Odom discloses a real-time interactive system and method for electronic exchange of goods and services via an electronic network. Odom teaches a bidding mechanism that may be used for sellers and buyers to raise or lower bids and offers (abstract; col. 1, lines 7-10). Odom shows (fig. 1) client server architecture. Odom illustrates (fig. 1) client connected to receive an interactive provider server and

respond to signals based on real-time interactive content over a communications channel received from the interactive provider server (col. 3, lines 1-161; col. 4, lines 15-24). Odom teaches an interface page (web page; col. 3, lines 24-34; col. 5, lines 46-57; col. 9, lines 18-29) for providing information pertinent to the real-time interactive content to the client; the page configured to display information according to predetermined criteria (filter, predefined parameters; col. 2, lines 43-46; col. 3, lines 34-39; col. 4, lines 50-52, 66-67; col. 6, lines 32-40; col. 8, lines 66-67; col. 9, lines 1-8, 39-48; col. 10, lines 37-59; col. 12, lines 54-67; col. 13, lines 1-7).

*Odom does not teach that the content is tailored to the transmission and reception capabilities of the client.* However, Kikinis discloses a system and methods for providing data from data sources over the Internet to end users, with the data tailored to the needs of the end users (abstract; p. 1, par. 0002). Kikinis teaches a web browsing system that configures data to be transmitted to a client device from a web server. Kikinis explains that a list is created, which has parameters derived from the characteristics of the client, the characteristics of the web page and user's preferences; the parameters (including the user's preferences) are stored as a template at the web server; and that the web data is translated according to the template and transmitted to the client device (p. 2, par. 0013-0015; p. 5, par. 0060-0062). Kikinis teaches that the translation of the web page and its transmission is in accordance to the capabilities of the client device (p. 14, par.

0179-0180, 0183; p. 15, par. 0184-0187). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include Kikinis' teaching of tailoring content according to transmission and reception capabilities in Odom's system for network exchange because as Kikinis says, as development of the Internet and other wide area network solutions continues, more and more devices are being provided for specific uses, incorporating computer elements and an ability to communicate with remote data sources; these different types of client devices being newly adapted to operate as computer peripherals, need new abilities for rapid transfer of applications and data, and a higher bandwidth for receiving/sending data from/to remote sources.

*Odom/Kikinis does not teach personalization and user preferences as claimed.* However, Walker discloses a method and system for adapting game machines to playing according to user's preferences. Walker explains that the user can choose a preferred configuration of the machine (language, etc.). Walker teaches user's preferences, playing preferences and casino preferences (col. 4, lines 64-67; col. 5, lines 1-60). Walker teaches that the preferences are stored in the server (abstract; col. 2, lines 14-35). Thus, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to further include Walker's teachings in Odom/Kikinis game system because users are provided with an interface having settings that are most familiar to the user.

*Odom/Kikinis/Walker does not teach two interfaces, one providing realtime interactive content and the other simultaneously providing information pertinent to the realtime interactive content.* However, Molnick discloses a system and method of participating in live casino game (col. 1, lines 48-67; col. 2, lines 1-32). Molnick teaches a casino dealer that uses a data input device to issue data signals over an information line to the interface station, wherein in response to the data, the interface station displays information simultaneously with the live television signals to control the players play of the game (abstract; col. 6, lines 39-44; col. 8, lines 62-67). Therefore, it would have been obvious to include Molnick's teaching in Odom/Kikinis/Walker's invention because the user is provided with instantaneous information related to the game such as winnings, loses, etc.

Claims 6, 11, 12, 24, 26, 27, 37, 39 and 40:

See claim 1. Odom teaches that the interactive provider server is a betting service, that the client responses comprise bets or betting information, and pertinent information relating to teams upon which the client has made bets (col. 10, lines 36-59; col. 11, lines 10-18; col. 12, lines 4-14, 54-67; col. 13, lines 1-15).

Claim 9:

Odom teaches the interactive provider server is a web server on the Internet (col. 1, lines 53-65; col. 3, lines 24-28; col. 5, lines 46-48; col. 9, lines 18-19).

Claim 10:

Odom teaches content is obtained from a plurality of sources (col. 9, lines 9-17, 49-55; col. 13, lines 43-54).

Claims 15, 20 and 32:

Odom teaches that users are provided with current information (interactive content is retrieved and updated automatically), which is updated automatically (col. 3, lines 37-46; col. 5, lines 51-57; col. 6, lines 28-58).

Claims 16, 17, 21, 22, 33 and 34:

Odom teaches database 130 (fig. 1; col. 3, lines 5-12; col. 4, lines 37-44). Odom teaches that bid information processing may include a first level of filtering to determine if the bid meets predefined criteria or rates (col. 3, lines 32-36).

Claims 18, 23 and 35:

See claim 16. Odom teaches interactive information that can be organized and shared among a plurality of users (abstract; col. 1, lines 67; col. 2, lines 1-26) and individual user information (profile) that is generated for respective users (see claim1, user predefined criteria, preferences).

Claims 25 and 38:

See claim 6. Odom teaches information comprising current information regarding prospective wagers (col. 13, lines 15-42).

Claims 28 and 41:

Molnick teaches a live video feed (abstract; col. 8, lines 10-67).

Claims 29 and 42:

See claim 6. Odom teaches information comprising current information regarding prospective wagers and allowable wagers (meets predefined criteria), (col. 13, lines 15-42).

Claims 31 and 36:

See claim 1. Odom teaches that bids may be broadcast to all participants in the exchange (col. 6, lines 56-58).

**4. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Odom/Kikinis/Walker/Molnick* and *Jancke et al* (US 5,764,913).**

Claim 2:

Odom/Kikinis/Walker/Molnick does not teach that pertinent information is displayed using traffic lights. However, Jancke discloses state icons in the form of traffic lights. The state icons are status indicators used for informing the user about the operational state of nodes connected to the network (abstract; figures 2-4; col. 2, lines 42-59; col. 3, lines 17-46). Therefore, it would have been obvious to one ordinarily skilled in the art at the time the invention was made to modify Odom/Kikinis' interactive display to include traffic light icons to display pertinent

information because these icons provide the user with information at-a-glance. The user receives feedback or additional information about a task or a bet just by displaying specific colors.

5. **Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Odom/Kikinis/Walker/Molnick* and *Goldberg et al* (US 6,712,702 B2).**

Claim 3:

Odom discloses status/time and start/stop time (col. 3, lines 16-20; col. 5, lines 15-18; col. 6, lines 59-63; col. 8, lines 30-39; col. 9, lines 39-43) but does not teach providing the time left in the betting window. However, Goldberg discloses a method for automating playing games (bets) that can be played by a large number of players (abstract; col. 1, lines 23-29; col. 2, lines 4-12). Goldberg teaches a player information area 296 having two fields provided for displaying playing time information such as "elapsed playing time" and "remaining playing time" (col. 13, lines 53-67; col. 14, lines 1-5). Thus, it would have been obvious to a person having ordinary skill in the art at the time of invention to modify Odom's interactive display to include a player information area having playing time information because as Goldberg says, this information is useful to the players when playing in a tournament because the player is able to determine how much time is left and the number of games remaining.

6. **Claims 4 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Odom/Kikinis/Walker/Molnick* and *Gerace* (US 5,848,396).**

Claim 4:

Odom/Kikinis does not teach the visual elements of the interface page can be altered to color preference. However, Gerace discloses a computer network method and apparatus for providing targeting of appropriate audience based on profiles (fig. 3a; 22 col. 3, lines 39-67; col. 4, lines 1-11; col. 5, lines 54-62; col. 7, lines 4-22). Gerace teaches a page configured to display pertinent information according to preferences (col. 5, lines 15-25; col. 6, lines 22-39). Gerace teaches that the system records presentation preferences including color (col. 2, lines 16-23). Gerace teaches that a screen view may be formatted according to user preferences (presentation of details, color), (col. 5, lines 15-24; col. 6, lines 22-34). Therefore, it would have been obvious to one ordinarily skilled in the art at the time the invention was made to include Gerace's teaching of altering a page to color preference in Odom/Kikinis' interface because it enables users to personalize the page according to the user's mood, likes, or dislikes.

Claim 13:

See claim 4. Gerace teaches answers to questions answered prior to providing personalized services (col. 4, lines 1-67; col. 5, lines 1-14).

**7. Claim 44 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Odom/Kikinis/Walker/Molnick* and *Vuong et al* (US 5,762,552).**

Claim 44:

Odom/Kikinis/Walker/Molnick does not teach that the interactive services are rendered via picture-in-picture (PIP) functionality. However, Vuong discloses an interactive gaming system that enables a user to select a game and then in response to the selection the player is presented with a video representation of the possible bets; after the bets are placed, the video representation is adapted to include a broadcast quality feed (abstract; col. 7, lines 66-67; col. 8, lines 1-27). Vuong teaches a video window that may be subdivided using picture-in-picture technology (col. 9, lines 63-67; col. 10, lines 1-9). Therefore, it would have been further obvious to include Vuong's teachings in Odom/Kikinis/Walker/Molnick's game interface because as Vuong says, more than one view of the game table or more than one table can be simultaneously provided to the player.

***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to X. L. Bautista whose telephone number is (571) 272-4132. The examiner can normally be reached on Tuesday-Friday 8:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

X. L. Bautista
Primary Examiner
Art Unit 2179

xlb
December 28, 2006